

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7398**

**BILL NUMBER:** HB 1520

**NOTE PREPARED:** Jan 13, 2013

**BILL AMENDED:**

**SUBJECT:** School Bus Camera Enforcement Devices.

**FIRST AUTHOR:** Rep. Smith M

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill has the following provisions:

- (1) Provides that a school corporation or a nonpublic school (school) may use a video recording device (device) on a school bus to capture digital images of a vehicle that is being operated in violation of school bus stop arm traffic laws (violation).
- (2) Provides that a school may enter into an enforcement agreement with a contractor for camera enforcement by the device.
- (3) Provides that a school may enter into an agreement with a law enforcement agency to review images from the device and prepare and mail a complaint and summons for specific civil penalties for the violation to the owner of the vehicle.
- (4) Provides that costs above the civil penalty for the violation may not be collected.

**Effective Date:** July 1, 2013.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Summary:* This bill could decrease revenue the General Fund receives from civil penalties assessed in Class A infraction convictions. Currently, when an individual is convicted of illegally passing a school bus, they are subject to a Class A infraction. The maximum judgment for a Class A infraction is \$10,000, and revenue collected from the fine is deposited in the state General Fund. For FY 2012, there were 451 convictions for illegally passing a school bus.

Additional Information:

Under the bill, school corporations will be authorized to use cameras and other recording devices to capture images or video of individuals who illegally pass school buses if they enter into enforcement agreements with contractors who provide camera enforcement services.

For individuals who are found to have illegally passed a school bus as the result of a school bus camera, violators would instead be subject to the following civil penalty schedule:

- (1) \$300 for a first offense in a 5-year period,
- (2) \$750 for a second offense in a 5-year period, and
- (3) \$1,000 for a third offense in a 5-year period.

These civil penalties are the only penalties that may be assessed for this violation. Revenue collected from these civil penalties is to be distributed in accordance with the enforcement agreement between the school and the contractor. To the extent an individual is found to have illegally passed a school bus by a school bus camera that otherwise would have received a citation from a law enforcement officer and charged with a Class A infraction, revenue to the General Fund could decrease.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** Local governments, school corporations, and possibly local law enforcement could receive revenue from civil penalties for convictions of illegally passing a school bus with a school bus camera (depending on the terms of the enforcement agreement). It is not stated in the bill how revenue from enforcement agreements will be distributed.

Violators are not subject to additional court costs beyond the schedule of civil penalties, but a court is allowed to deduct costs from the prescribed civil penalties. Within the limitations of the schedule of civil penalties provided in the bill, local revenue received from court fees could be affected.

**State Agencies Affected:**

**Local Agencies Affected:** Schools, trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Bill Brumbach, 232-9559.